



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**  
Division of Drinking Water

December 11, 2015  
Certified Mail/Return  
7012 3460 0003 1113 0369

Sutter County WWD#1 (Robbins)  
1130 Civic Center Boulevard  
Yuba City, CA 95993

Attention: David Tomm, Associate CE

**Subject: Sutter Co. WWD#1 (Robbins), Public Water System No. 5100107 – Compliance Order No. 21-15R-008 for Exceedance of the Arsenic Maximum Contaminant Level.**

Dear David Tomm,

Enclosed is an amended Compliance Order for arsenic that was originally issued to the Sutter Co. WWD#1 (Robbins) water system on January 2, 2009. The amended Order is being issued because a return to compliance date for the maximum contaminant level had not been set. Please read this Order carefully, paying special attention to the directives therein.

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.  
Valley District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

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**STATE OF CALIFORNIA**  
**STATE WATER RESOURCES CONTROL BOARD**  
**DIVISION OF DRINKING WATER**

10 **TO:** Sutter County WWD#1 (Robbins)  
11 Attn: David Tomm  
12 1130 Civic Center Boulevard  
13 Yuba City, CA 95993  
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17 **AMENDED COMPLIANCE ORDER FOR NONCOMPLIANCE OF THE ARSENIC**  
18 **MAXIMUM CONTAMINANT LEVEL**  
19

20 **COMPLIANCE ORDER NO. 21-15R-008**  
21

22 **Sutter County WWD#1 (Robbins)**

23 **System No. 5100107**

24 **Issued: December 11, 2015**  
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26 Section 116655 of Chapter 4 of Part 12 of Division 104 of the California Health and  
27 Safety Code (H&S Code) authorizes the issuance of a compliance order for failure to  
28 comply with a requirement of the California Safe Drinking Water Act or any  
29 regulation, standard, permit, or order issued thereunder.  
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1 The State Water Resources Control Board (hereinafter "Board"), acting by and  
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director  
3 for the Division, hereby issues this compliance order (hereinafter "Order") pursuant  
4 to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to  
5 Sutter County WWD#1 (Robbins) for violation of CHSC section 116655(a)(1) and  
6 title 22, California Code of Regulations (hereinafter "CCR"), Section 64431.

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8 **APPLICABLE AUTHORITIES**

9 Section 116555 of the CHSC states in relevant part:

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11 *(a) Any person who owns a public water system shall ensure that the*  
12 *system does all of the following:*

13 *(1) Complies with primary and secondary drinking water*  
14 *standards.*

15 *(3) Provides a reliable and adequate supply of pure,*  
16 *wholesome, healthful, and potable water.*

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19 Section 116655 of the CHSC states in relevant part:

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21 *(a) Whenever the department determines that any person has violated*  
22 *or is violating this chapter, or any permit, regulation, or standard*  
23 *issued or adopted pursuant to this chapter, the director may issue*  
24 *an order doing any of the following:*

25 *(1) Directing compliance forthwith.*

26 *(2) Directing compliance in accordance with a time schedule set*  
27 *by the department.*

1                                   (3) *Directing that appropriate preventive action be taken in the*  
2                                   *case of a threatened violation.*

3  
4                           (b) *An order issued pursuant to this section may include, but shall not*  
5                           *be limited to, any or all of the following requirements:*

6                           (1) *That the existing plant, works, or system be repaired,*  
7                           *altered, or added to.*

8                           (2) *That purification or treatment works be installed.*

9                           (3) *That the source of the water supply be changed.*

10                          (4) *That no additional service connection be made to the*  
11                          *system.*

12                          (5) *That the water supply, the plant, or the system be monitored.*

13                          (6) *That a report on the condition and operation of the plant,*  
14                          *works, system, or water supply be submitted to the*  
15                          *department.*

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18                   Section 64431 of the CCR states in relevant part:

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20                   *Public water systems shall comply with the primary MCLs in table 64431-A:*

21                   *(Specifically, Table 64431- A indicates a MCL for Arsenic of 0.010 mg/L)*

22  
23                   Section 64432 (i) of the CCR states in relevant part:

- 24  
25                   1. *Compliance with the MCLs shall be determined by a running annual*  
26                   *average (RAA); if any one sample would cause the annual average to*  
27                   *exceed the MCL, the system is immediately in violation.*

**STATEMENT OF FACTS**

The Sutter County WWD#1 (Robbins) water system (hereinafter, "System") is a community water system located in Sutter County that supplies water for domestic purposes to approximately 350 persons. The System utilizes the Wagner Aviation Well as its source of domestic water. Beginning in 2000 to the present, treated water arsenic levels from the Wagner Aviation Well have exceeded the 10.0 ppb MCL; ranging from 14.0 ppb to 40.8 ppb.

As shown in the most recent quarterly results below, treated water from the Wagner Aviation Well continues to exceed the arsenic MCL.

Sample Quarter	Well No. 2
4 <sup>th</sup> Quarter of 2014	19.0 ppb
1 <sup>st</sup> Quarter of 2015	21.0 ppb
2 <sup>nd</sup> Quarter of 2015	16.0 ppb
3 <sup>rd</sup> Quarter of 2015	16.0 ppb
<b>RAA</b>	<b>18.0 ppb</b>

As a result of the arsenic MCL exceedance from this source, the System was required to follow specific directives within Compliance Order No. 01-21-09(O)51001 (issued January of 2009) to address this violation. While the System has complied with all the directives in the 2009 Order, said directives did not include a return to compliance date.

**DETERMINATIONS**

Based on the above Statement of Facts, The Division has determined that the System continues to violate Section 116555 of the CHSC, and Sections 64431 and 64432 of the CCR, in that the water produced by the Wagner Aviation Well continues to exceed the arsenic MCL.

**DIRECTIVES**

This compliance order amends the above referenced 2009 Order by including the following directive:

4. On or before December 31, 2018, the System must comply with the maximum contaminant levels specified in Sections 64431 and 64432 of the California Code of Regulations.

All submittals required by this Order shall be addressed to:

Reese B. Crenshaw, P.E.  
Valley District Engineer  
Drinking Water Field Operations  
Division of Drinking Water  
State Water Resources Control Board  
364 Knollcrest Drive, Suite 101  
Redding, CA 96002  
(530) 224-4800

Nothing in this Order relieves the System of its obligation to meet the requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe

1 Drinking Water Act), or any regulation, permit, standard or order issued or adopted  
2 thereunder.

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4 The Division reserves the right to make such modifications to this Order, as it may  
5 deem necessary to protect public health and safety. Such modifications may be  
6 issued as amendments to this Order and shall be effective upon issuance.

#### 7 8 **FURTHER ENFORCEMENT ACTION**

9 The California SDWA authorizes the Board to: issue citation with assessment of  
10 administrative penalties to a public water system for violation or continued violation  
11 of the requirements of the California SDWA or any permit, regulation, permit or order  
12 issued or adopted thereunder including, but not limited to, failure to correct a  
13 violation identified in a citation or compliance order. The California SDWA also  
14 authorizes the Board to take action to suspend or revoke a permit that has been  
15 issued to a public water system if the system has violated applicable law or  
16 regulations or has failed to comply with an order of the Board; and to petition the  
17 superior court to take various enforcement measures against a public water system  
18 that has failed to comply with violates an order of the Board. The Board does not  
19 waive any further enforcement action by issuance of this citation.

#### 20 21 **PARTIES BOUND**

22 This Order shall apply to and be binding upon the System, its officers, directors,  
23 agents, employees, contractors, successors, and assignees.

#### 24 25 **SEVERABILITY**

26 The directives of this Order are severable, and the System shall comply with each  
27 and every provision thereof notwithstanding the effectiveness of any other provision.

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Richard L. Hinrichs

Richard L. Hinrichs, P.E., Chief  
Northern California Section  
State Water Resources Control Board  
Division of Drinking Water

12/11/2015

Date

